

Protest of ) Date: December 16, 1987  
CHICAGO TRANSPARENT PRODUCTS, INC. )  
Sol. No. 887100-88-A-0013 ) P.S. Protest No. 87-130

### Decision

Chicago Transparent Products, Inc., protests the award of a contract under solicitation 887100-88-A-0013 for PS Item 08100A, plastic special delivery bags, to McShane Packaging, contending that the firm will not be able to produce a quality item and ship it on a timely basis.

The solicitation was issued by the Western Area Supply Center on October 26, 1987. When bids were opened on November 25, McShane's bid was the lowest of eight bids received. Chicago Transparent's bid was second low. The contracting officer advises that McShane is a previous supplier to the Postal Service. Based on a pre-award review, the contracting officer found McShane to be a responsible bidder, and awarded the contract to it on December 2. Chicago Transparent's protest was received December 7.

Chicago Transparent challenges the contracting officer's affirmative determination of McShane's responsibility. As our decisions have frequently stated, contracting officers are afforded considerable discretion in determining a prospective contractor's responsibility. Lightron of Cornwall, Inc., P.S. Protest No. 84-6, February 27, 1984; Mesa Constructors, P.S. Protest No. 83-39, September 20, 1983. Their determinations will not be overturned unless the protest falls within the very narrow standard of review employed by this office:

[I]n the absence of allegation of fraud or bad on the part of the contracting officer, or of claims that definitive responsibility criteria set forth in the solicitation were not applied, we will not review a protest against an affirmative determination of responsibility.

EDI Corporation, P.S. Protest No. 83-51, January 26, 1984, quoted in Pitney Bowes, Inc., P. S. Protest 87-95, November 20, 1987.

Here, the protester has offered no more than a conclusory assertion of McShane's possible inability to perform, unsupported by any information whatsoever. That

assertion is insufficient to trigger our review. Accordingly, and in accordance with Postal Contracting Manual 2-407.8 f. (12), the protest is summarily denied.

William J. Jones  
Associate General Counsel  
Office of Contracts and Property Law

**[checked against original JLS 3/22/93]**